1 JOHN L. BURRIS, Esq./ State Bar #69888 BENJAMIN NISENBAUM, Esq./State Bar #222173 2 LAW OFFICES OF JOHN L. BURRIS Airport Corporate Centre 3 7677 Oakport Street, Suite 1120 Oakland, California 94621 Telephone: (510) 839-5200 Fa Email: john.burris@johnburrislaw.com 4 Facsimile: (510) 839-3882 5 bnisenbaum@gmail.com 6 Attorneys for Plaintiff 7 8 UNITED STATES DISTRICT COURT 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA 10 11 MARIA JOYA, individually, and as Case No. C 07 (4739 CRB Administrator of the Estate of NASIR SOLIS. 12 ADMINISTRATIVE MOTION AND (PROPOSED) ORDER EXTENDING TIME Plaintiff. 13 TO COMPLETE ADR AND CONTINUING CASE MANAGEMENT CONFERENCE VS. 14 CITY OF HAYWARD, a municipal 15 corporation; LLOYD LOWE, in his capacity as 16 Chief of Police for the CITY OF HAYWARD; JASON CORSOLINI, individually and in his 17 capacity as an officer for the CITY OF HAYWARD; and DOES 1-25, inclusive, 18 19 Defendants. 20 21 22 Pursuant to Local Rule 7-11, Plaintiffs file this stipulated motion to continue the date by 23 which the parties are to complete ADR by 120 days, or until August 29, 2008. 24 This Court previously ordered the parties to complete ADR by May 2, 2008. The parties 25 request an additional 120 days to gather additional information to increase the likelihood that 26 27 meaningful discussions can take place at mediation. The parties have conferred with their chosen 28 mediator, who is amenable to the requested extension of time. The parties are mutually awaiting

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complete responses to their respective Requests for Production of Documents. Depending on those responses, Plaintiffs may or may not need to take the deposition of Defendant Officer CORSOLINI in order to conduct meaningful settlement discussions.

Accordingly, the parties request that the Court extend the deadline by which the parties are to complete ADR to August 29, 2008. Should the Court grant the extension, the parties request that the Case Management Conference set for April 18, 2008, be continued to September 5, 2008, following completion of ADR. Likewise the Court should similarly reset the deadline to complete ADR, and the date for the next Case Management Conference in the related case, Saleh Ali v. City of Hayward, et al., United States District Court Case No. C 07 04718 (CRB)

Dated: April 11, 2008

The Law Offices of John L. Burris

Ben Nisenbaum

Attorney for Plaintiff

Dated: April 11, 2008 MICHAEL S. I.AWSON, City Attorney

By: \_\_\_\_\_/s/\_ RANDOLPH S. HOM, Assistant City Attorney Attorneys for Defendants

## (PROPOSED) ORDER

Pursuant to stipulation, and based on the need of the parties to conduct further discovery, the Court hereby grants the parties' stipulation and orders that the parties complete ADR by August 29, 2008. In light of the extension to complete ADR, the Court hereby CONTINUES the case management conference set for April 18, 2008, to September 5, 2008 at 8:30 a.m. in this Court.

Dated: April 14, 2008

HONORABLE CHARLES S. BREVE UNITED STATES DISER IT IS SO ORDERED

Judge Charles R. Breyer

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